



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Mental Health
25 Staniford Street
Boston, Massachusetts 02114-2575

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Commissioner

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NOTICE OF PUBLIC HEARING

Notice is hereby given that the Department of Mental Health is proposing regulations under the authority of M.G.L. c. 19, ss. 1, 18, 19 and c. 123 s. 23, pursuant to Chapter 476 of the Acts of 2014. A public hearing will be held for the purpose of receiving written and oral testimony on its proposed actions. The Department describes the substance of the actions as follows:

The proposed regulation, 104 CMR 27.13 Human Rights, implements Chapter 476 of the Acts of 2014, which added "reasonable daily access to fresh air" to the list of rights of individuals hospitalized in psychiatric facilities operated, contracted or licensed by DMH. The statute requires DMH to promulgate regulations establishing what constitutes "reasonable daily access," and provisions for the safety of staff supervising such access. The statute also provides for an appeal of the denial of such access, in accordance with DMH regulations.

TIME AND PLACE OF PUBLIC HEARING:

September 15, 2015 at 2:00 – 4:00 pm
DMH Legal Office
25 Staniford Street, Plaza West
Boston, MA 02114

METHOD OF COMMENT: Individuals planning to offer oral testimony on the proposed regulations mentioned above should arrive and register at the hearing site 30 minutes before their intent to testify and provide a written copy or summary of their testimony at the hearing. Written comments may be submitted at the hearing or mailed to the Office of the General Counsel, Department of Mental Health, 25 Staniford Street, Boston, MA 02114; or Fax to (617) 626-8242; or submitted to e-mail address: DMH-regulations@state.ma.us - **NO LATER THAN September 11, 2015.** Comment Period ends at the close of the Public Hearing on September 15, 2015.

ACCOMMODATION: If you plan to attend the public hearing and wish to request the accommodation of a sign language or other interpreter, contact DMH Legal at least 10 days in advance of the hearing date at (617) 626-8236.

INFORMATION: Copies of the proposed regulations may be obtained from the Department of Mental Health Legal Office, 25 Staniford Street, Boston, MA 02114, and may also be found on the Department's Internet site at www.state.ma.us/dmh.

By Order of the Department of Mental Health
Joan Mikula, Commissioner
July 28, 2015